

EXHIBIT A

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SENT VIA E-MAIL

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Re: Plan Proponent Medical Expert Reliance Materials

Dear Brian & Nate:

This letter is in follow up to the June 29, 2009, meet and confer discussion we had regarding the reliance materials that Libby Claimants assert have not been produced for certain of the Plan Proponents' medical experts. In that discussion, I believe we agreed that some form of resolution might occur through attempts on your end to identify more specifically and perhaps produce the specific medical records that Drs. Stockman, Parker, and Friedman relied upon when forming their opinions in this case. Please consider this letter as an attempt to resolve the discovery concerns we discussed.

Specifically, please identify as soon as possible in some usable and meaningful way the medical records and other documents that Drs. Stockman, Parker, and Friedman referred to in their depositions but which they admitted have not been particularly named or produced. Please also produce the actual documents, paying special attention to documents that reflect the experts' own work. Documents subject to Libby Claimants' request include documents related to formation of opinions on asbestos disease, and include, but are not necessarily limited to:

Dr. Stockman

Libby patient records referenced in ¶¶ 14, 59-61 of her expert report; see June 17, 2009, deposition, 28:8-32:3; 62:25-63:20; 180:19-188:20; 195:2-201:7. See e-mail of Jon L. Heberling to Nate Finch 6/21/09.

Dr. Parker

Libby patient records reviewed in ATSDR review.

Dr. Friedman

Libby patient records and data referenced in June 22, 2009, deposition, 32:12-33:14; 88:3-89:6; 92:14-93:8; 95:6-98:9; 100:8-20; 104:12-16; 107:19-112:9; 116:5-120:1; 191:5-194:12; 195:15-196:15; 220:19-221:15; 236:2-239:5; 243:3-245:15; 281:20-284:2; 287:2-14.

Please note that the Libby Claimants' request for the production of actual documents relied upon by the respective experts is based in part on the fact, which we discussed, that Libby Claimants cannot necessarily access some or all of the non-claimant medical records which could be among the experts' reliance materials. Regardless of how these medical experts obtained the documents that they reviewed and relied upon, any assumption that all those records are already in the possession of or even available to Libby Claimants is not justified.

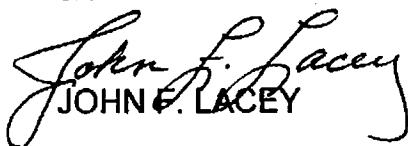
Finally, the Libby Claimants having already been prejudiced by the lack of identification and production of these documents prior to the experts' respective depositions, time is now of the essence. Accordingly, please make your response to this request no later than July 20.

This letter is a request to resolve the issues we discussed on June 29. I am hopeful that we can eliminate any need for the motions that we discussed. Libby Claimants nonetheless reserve their right to pursue appropriate relief regarding these medical experts (and Dr. Welch) as was discussed.

Thank you for your attention to this matter. Please feel free to contact me or Jon Heberling with any questions or concerns.

Yours sincerely,

McGARVEY, HEBERLING, SULLIVAN
& McGARVEY



JOHN F. LACEY

cc: Jon Heberling
Chris Candon
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